



Docket No.: 0425-0736P  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Koji UKAI et al.

Application No.: 09/380,310

Confirmation No.: 2449

Filed: August 31, 1999

Art Unit: 1616

For: ORAL MEDICINE PREVENTING  
UNPLEASANT TASTE AND THE LIKE

Examiner: M. Haghighatian

**REQUEST FOR REFUND**  
**(IMPROPER CHARGE OF DEPOSIT ACCOUNT)**

MS 16  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**I. REFUND REQUEST**

This is a request for a refund with respect to the charge to Deposit Account 02-2448 shown on the statement for the month of January 2006 for the above-identified

☒ application ☐ patent

☒ A copy of the monthly statement in which the error referred to occurs, accompanies this request.

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- ☐ patent maintenance fee
- ☐ first maintenance fee
- ☐ second maintenance fee
- ☐ third maintenance fee
- ☐ patent maintenance fee surcharge
- ☐ Other:

**TOTAL REFUND REQUESTED**

**\$1,020.00**

**III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR**

On January 30, 2006, the USPTO charged Deposit Account No. 02-2448 in the amount of \$1,020.00 for the third month extension of time for filing a response to a final Office Action. However, the \$1,020.00 fee was submitted with the Notice of Appeal filed concurrently with the Amendment filed on January 27, 2006. A copy of the canceled check and the date-stamped postcard indicating receipt of the check is enclosed. It is respectfully requested that the \$1,020.00 be refunded to Deposit Account No. 02-2448.

**IV. MANNER OF REFUND**

Please make refund by crediting Account No. 02-2448.

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We respectfully request that the attached copy of this letter be returned to us with an indication that the credit has been processed.

Dated: May 22, 2006

Respectfully submitted,

By M. S. Weiner 36,623

Marc S. Weiner

Registration No.: 32,181

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road, Suite 100 East

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Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant

Attachment(s)

Application No.: 09/380,310

Docket No.: 0425-0736P

II. FEES CHARGED FOR WHICH REFUND REQUESTED

AMOUNT OF  
REFUND  
REQUESTED

☐ filing fee

☐ search fee

☐ examination fee

☐ surcharge for filing the basic filing  
on a date later than the filing date of  
the application (37 C.F.R. § 1.16(e))

and/or

☐ surcharge for filing the oath or declaration  
on a date later than the filing date of the  
application (37 C.F.R. § 1.16(e))

☒ extension of term

☐ first month

☐ second month

☒ third month

☐ fourth month

☐ excess claims

☐ issue fee

☐ petition fee

\$1,020.00



United States  
Patent and  
Trademark Office



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**Deposit Account Statement**

Requested Statement Month: January 2006  
Deposit Account Number: 022448  
Name: BIRCH STEWART KOLASCH & BIRCH  
Attention:  
Address: 8110 GATEHOUSE ROAD  
City: FALLS CHURCH  
State: VA  
Zip: 22042  
Country: UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
01/03	2	10543663				
01/03	5	PCT/US05/46806	5999.0504PWO	9204	-\$360.00	\$9,865
01/03	21	60743085	5237-0101PUS1	1703	\$12.00	\$9,853
01/03	34	E-REPLENISHMENT		2005	\$100.00	\$9,753
01/03	43	60700323	4614-0175PUS1	9203	-\$25,000.00	\$34,75
01/03	65	11224224	4459-0310PUS1	8007	\$20.00	\$34,73
01/03	73	78783037	0465-1509US1	8007	\$40.00	\$34,69
01/03	73	11208612	0941-1276PUS1	7001	\$650.00	\$34,04
01/03	74	60716922	4614-0176PUS1	8007	\$20.00	\$34,02
01/03	76	60716949	4614-0177PUS1	8007	\$20.00	\$34,00
01/03	79	10532226		8007	\$20.00	\$33,98
01/03	80	78783042	0465-1508US1	8021	\$40.00	\$33,94
01/03	81	78783044	0465-1507US1	7001	\$650.00	\$33,29
01/03	89	78783048	1338-0209US1	7001	\$650.00	\$32,64
01/03	210	11202018		7001	\$325.00	\$32,31
01/03	230	78783124	2364-0258US1	8021	\$40.00	\$32,27
01/04	1	10170341	0425-0928P	7001	\$325.00	\$31,95
01/04	5	10493486	4614-0131PUS1	1801	\$790.00	\$31,18
01/04	9	10399519	0152-0632P	1255	\$2,160.00	\$29,00
01/04	131	60646502	0020-5337PUS1/LAS	1811	\$100.00	\$28,90
01/04	148	11201299		8007	\$40.00	\$28,86
01/04	226	11216158	0505-1414PUS1	8021	\$40.00	\$28,82
01/04	272	PCT/US05/46965	1215-0548PWO	8021	\$40.00	\$28,78
01/05	3	10957688	0941-0754PUS2	8007	\$24.00	\$28,75
01/05	12	29237836	3449-0537PUS1	1251	\$120.00	\$28,63
01/05	40	10244420	3787-0117PUS1	1251	\$120.00	\$28,51
01/05	51	10244420	3787-0117PUS1	8021	\$640.00	\$27,87
				8021	\$640.00	\$27,23

# Deposit Account Statement

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01/26 126 29237620	4765-0104PUS1	8021	\$40.00	\$19,84
01/26 143 11221916		8021	\$40.00	\$19,80
01/26 144 11243981		8021	\$40.00	\$19,76
01/26 155 60714538	1718-0219PUS1	8007	\$20.00	\$19,74
01/26 166 11219696	2832-0254PUS1	8021	\$40.00	\$19,70
01/26 180 29237521	4765-0105PUS1	8021	\$40.00	\$19,66
01/26 185 10275085	2039-0160P	1253	\$1,020.00	\$18,64
01/26 190 11224128	2273-127PUS1	8021	\$40.00	\$18,60
01/26 195 11219852	2832-0255PUS1	8021	\$40.00	\$18,56
01/26 198 78190581	2160-0164T	7004	\$150.00	\$18,41
01/26 202 11221802	2832-0247PUS1	8021	\$40.00	\$18,37
01/26 207 11219694	0837-0189PUS1	8021	\$40.00	\$18,33
01/26 208 11338801	0757-0310PUS1	1203	\$10.00	\$18,32
01/26 214 11224223		8021	\$40.00	\$18,28
01/26 216 11224123		8021	\$40.00	\$18,24
01/26 453 76425337	3881-0109T	7004	\$150.00	\$18,09
01/26 492 78799320	2846-0362US1	7001	\$325.00	\$17,76
01/26 1834 78799980	4299-0246US1	7001	\$325.00	\$17,44
01/26 1839 78799985	1651-0212US1	7001	\$325.00	\$17,11
01/27 1 10120376	0641-0236P	1811	\$100.00	\$17,01
01/27 1 11325330	0933-0264PUS1	2201	\$100.00	\$16,91
01/27 3 10530012		9204	-\$100.00	\$17,01
01/27 3 11006694	3449-0416PUS1	1201	\$200.00	\$16,81
01/27 8 10536393		9204	-\$100.00	\$16,91
01/27 28 11219700		8021	\$40.00	\$16,87
01/27 65 11220712	1215-0536PUS2	8021	\$40.00	\$16,83
01/27 73 10149912	0365-0538P	1401	\$500.00	\$16,33
01/27 74 10149912	0365-0538P	1253	\$570.00	\$15,76
01/27 157 11143642	0933-0245PUS1	8007	\$20.00	\$15,74
01/27 158 11143642	0933-0245PUS1	8013	\$25.00	\$15,72
01/27 293 29239058		8021	\$40.00	\$15,68
01/27 300 10524011		8021	\$40.00	\$15,64
01/27 586 11224102		8021	\$40.00	\$15,60
01/30 1 09741045	3430-0154P	1252	\$450.00	\$15,15
01/30 8 10527581		9204	-\$100.00	\$15,25
01/30 10 10536412		9204	-\$100.00	\$15,35
01/30 11 10527597		9204	-\$100.00	\$15,45
01/30 18 10175884	1422-0539P	1814	-\$130.00	\$15,58
01/30 32 60742887	0592-0133PUS1	8021	\$40.00	\$15,54
01/30 33 10516502	0365-0615PUS1	8021	\$40.00	\$15,50
01/30 35 11241607	2750-1609PUS2	1081	\$1,000.00	\$14,50
01/30 39 10530705		9204	-\$100.00	\$14,60
01/30 40 10530705		1618	-\$130.00	\$14,47
01/30 58 09380310	0425-0736P	1253	\$1,020.00	\$13,45
01/30 58 09927355	1817-0113P	2251	\$60.00	\$13,39
01/30 58 E-REPLENISHMENT		9203	-\$10,000.00	\$23,39
01/30 72 10391008	0171-0950P	1464	\$130.00	\$23,26
01/30 73 10391008	0171-0950P	1801	\$790.00	\$22,47



Inventor: Koji UKAI et al.

Atty. Docket No.: 0425-0736P

Application No.: 09/380,310-Conf. #2449

Filing Date: August 31, 1999

Title: ORAL PHARMACEUTICAL PREPARATIONS DECREASED IN BITTERNESS BY MASKING

**Documents Filed:**

Notice of Appeal (1 page)

Petition for Three Month Extension of Time Under 37 CFR 1.136(a) (1 page)

Fee Transmittal (1 page)

Check for \$1,520.00



Via: BSKB Courier

Sender's Initials: MSW/ETP/las

Due Date: January 29, 2006

Date:

**JAN 27 2006**

Inventor: Koji UKAI et al.

Atty. Docket No.: 0425-0736P

Application No.: 09/380,310-Conf. #2449

Filing Date: August 31, 1999

Title: ORAL PHARMACEUTICAL PREPARATIONS DECREASED IN BITTERNESS BY MASKING

**Documents Filed:**

Amendment Transmittal (1 page)

Petition for Three Month Extension of Time Under 37 CFR 1.136(a) (1 page)

Fee Transmittal (1 page)

Amendment



Via: BSKB Courier

Sender's Initials: MSW/ETP/las

Due Date: January 29, 2006

Date:

**JAN 27 2006**



**BIRCH, STEWART, KOLASCH AND BIRCH, LLP**  
CPO ACCOUNT  
8110 GATEHOUSE ROAD, SUITE 100 EAST  
P.O. BOX 747  
FALLS CHURCH, VA 22046-0747

**SUNTRUST BANK**  
Alexandria, Virginia  
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ORDER OF COMMISSIONER OF PATENTS & TRADEMARKS  
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SUNTRUST A/C 69122905  
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1011608911


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JF

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Under the Patent Fee Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b> <b>FY 2005</b> (Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)		<b>Docket Number (Optional)</b> 0425-0736P	
<b>Application Number</b> 09/380,310-Conf. #2449		<b>Filed</b> August 31, 1999	
<b>For</b> ORAL PHARMACEUTICAL PREPARATIONS DECREASED IN BITTERNESS BY MASKING			
<b>Art Unit</b> 1616		<b>Examiner</b> M. Haghighatian	
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application. The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):			
	<b>Fee</b>	<b>Small Entity Fee</b>	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$
<input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$ 1,020.00
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.			
<input checked="" type="checkbox"/> <b>The extension fee has been submitted with the Notice of Appeal filed concurrently herewith.</b>			
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.			
<input type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>02-2448</u> . I have enclosed a duplicate copy of this sheet.			
I am the <input type="checkbox"/> applicant/inventor.			
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).			
<input type="checkbox"/> attorney or agent of record. Registration Number _____			
<input checked="" type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 <u>32,181</u>			
 Signature		<u>JAN 27 2006</u> Date	
<u>Marc S. Weiner</u> Typed or printed name		<u>(703) 205-8000</u> Telephone Number	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			
<input type="checkbox"/> Total of <u>1</u> forms are submitted.			

01/30/2006 SFELEKE1 00000037 022448 09380310

01 FC:1253 1020.00 DA

Adjustment date: 11/22/2006 SDENBOB1  
01/30/2006 SFELEKE1 00000037 022448 09380310  
01 FC:1253 1020.00 CR

Birch, Stewart, Kolasch & Birch, LLP

MSW/ETP/las